

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

DANIEL DONOVAN,)
)
)
Plaintiff)
)
)
v.) Civil No. 04-102-B-W
)
)
MARTIN MAGNUSSON, et al.,)
)
)
Defendants)

AFFIDAVIT OF ERROL LITTLEFIELD

I, Errol Littlefield, state the following on personal knowledge:

1. I was a third shift sergeant at the Bolduc Correctional Facility during the time period of November of 2002 to April 2003.

2. In that position, I did supervise third shift correctional officers and directly interact with prisoners, but I did not control all aspects of a prisoner's day-to-day life. Many of those were controlled by the prisoner himself, while others were controlled by other staff who directly interacted with the prisoner.

3. If I ever did open privileged mail outside of a prisoner's presence, it was purely by accident, and I certainly never read any prisoner mail.

4. I never witnessed anyone open privileged mail outside of a prisoner's presence.

5. When I was informed by Captain Rick Ivey that Daniel Donovan was complaining that his privileged mail had been opened outside of his presence, I tried to be more careful in my handling of the mail to prevent myself from doing that.

6. I knew that Captain Ivey had also informed Sergeant Ames about Donovan's issue, and I believed that Sergeant Ames, as the senior third shift sergeant, had taken on the responsibility of working to resolve that issue with third shift correctional officers.

Dated: 10/29/04

/s/Errol Littlefield
ERROL LITTLEFIELD

STATE OF MAINE
KNOX, ss.

Personally appeared before me the above-named Errol Littlefield and swore to the truth of the foregoing statements.

Dated: October 29, 2004

Before me,

/s/Martha Martin
MARTHA MARTIN
NOTARY PUBLIC

CERTIFICATE OF SERVICE

I hereby certify that, on this date, I electronically filed affidavit of Errol Littlefield with the court using the ECF system and I hereby certify that, on this date, I caused a copy to be served on prisoner Daniel Donovan by having the same deposited in the United States Mail, postage prepaid.

Dated: October 29, 2004

/s/ Diane E. Sleek
DIANE E. SLEEK
Assistant Attorney General